

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re.:

The Application of

John W. Atkinson, et al.

Attorney

BOB 1338-062B

Docket:

Serial No.:

10/664,525

Examiner:

Filed:

September 17, 2003

Art Unit:

3711

Title:

LIQUID RACING GAME

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 (A)

Date of Deposit:

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450. Alexandria, VA 22313-1450.

Kim B. Powers, Paralegal

Sir:

REQUEST FOR CORRECTED FILING RECEIPT

The undersigned respectfully requests the issuance of a Corrected Filing Receipt correcting the filing date from July 8, 2004 to September 17, 2003, the date the captioned patent application was filed and correcting the number of drawings from thirteen to eight.

A Filing Receipt and Notice to File Missing Parts of Nonprovisional Application were mailed December 10, 2003 indicating the filing date of September 17, 2003 for the patent application. The Notice to File Missing Parts of Nonprovisional Application indicated that an oath or declaration was required

but no mention was made of formal drawings. A response to this notice was filed on February 10, 2004, within the two month time to respond to the notice.

On March 5, 2004 another Filing Receipt and Notice to File Corrected Application Papers were mailed indicating a filing date of September 17, 2003. The Notice to File Corrected Application Papers required the submission of formal drawings. Formal drawings were filed on May 28, 2004 along with a Petition for Extension of Time requesting a one month extension to respond to the notice. A copy of the formal drawings and postcard submitted is attached.

On June 15, 2004 a Notice of Incomplete Reply was mailed, again indicating a filing date of September 17, 2003. A Preliminary Amendment to Patent Application was filed on July 6, 2004 in response to the Notice of Incomplete Reply. The specification was amended to reflect the new figure set but no new figures were submitted. The original application contained thirteen figures but was amended to contain the eight figures submitted on May 28, 2004.

The Notice of Incomplete Reply indicated that the figures were not electronically reproducible but applicant contends that the figures submitted are electronically reproducible and that the notice was in error. Applicant contends that the error the notice intended to seek correction for was the discrepancy in the number of figures submitted which was corrected in the preliminary amendment.

An Updated Filing Receipt was mailed on July 26, 2004, indicating a filing date of July 8, 2004. Applicant contends that it has timely submitted all required

elements of its patent application and should receive the original filing date of September 17, 2003.

Therefore, applicant respectfully requests a Corrected Filing Receipt indicating the original September 17, 2003 filing date and a total of eight drawings.

Dated: <u>Aug. 31, 2004</u>

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Client/Matter No. 208 /338-042B Serial No. 10/	664 525 Filing Date: 9/17/03
Applicant: Atkinson	_Client: Bobs Space Rocer
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THE MAIL DOOM STAMP RELOW ACKNOWLEDGES RECEIPT OF THE POLLOWING DOCUMENTS OF	
THE DATE INDICATED ON THE MAIL ROOM STAMP.	
☐ Appl'n for Patent with:	☐ Maintenance Fee Trans. ☐ Fee Address Indication
pgs. of application	□ PCT Request □ PCT Demand
pgs. or applicationpgs. drawings informal/formal	Request formo. Ext. of Time
	□ Appl'n for TM / SM
☐ Application Data Sheet	☐ Use Based ☐ ITU
Request Not to Publish	☐ Specimen
☐ Inventor's Declaration ☐ POA#	□ Allegation of Use
☐ Information Disclosure Statement	Section 8 & 15 Affidavit
□ PTO-1449 □ Copies of References	□ Section 8 & 9 Renewal
☐ Resp. Notice of Missing Req./Formalities Req.	☐ Appl'n for Copyright Registration
☐ Amendment	Form/# deposits
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☐ Issue Fee forms	<u> </u>
☐ Assignment & Assignment Recordation form	<u> </u>
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M Certificate of Mailing date of: May 28, 2004	Express Mail No.: